



**HABEMATOLEL POMO
CULTURAL RESOURCES**

August 17, 2022

County of Lake Community Development Department

Attn: Mary Claybon, Assistant Planner
255 N. Forbes Street
Lakeport, CA 95453

RE: Joel Michaely Grow, LLC/Nicholas Taix Cannabis Cultivation Project, HP-20220804-01

Dear Ms. Mary Claybon:

Thank you for your project notification letter dated, August 4, 2022, regarding cultural information on or near the proposed 17425, 17445, 17475 Morgan Valley Road, 10800, 10850 Clayton Creek Road, and 11450, 11474, 11480, 11486, 11490 Spruce Grove Road., Lower Lake, Lake County. We appreciate your effort to contact us.

The Cultural Resources THPO Department has reviewed the project and concluded that it is not within the Aboriginal territories of the Habematolel Pomo of Upper Lake. Therefore, we respectfully decline any comment on this project. However, based on the information provided, please defer correspondence to the following:

Middletown Rancheria
Attn: James Rivera, Tribal Council Vice-Chair & THPO
Post Office Box 1035
22223 Hwy 29@ Rancheria Road
Middletown, CA 95461
Email: jrivera@middletownrancheria.com

Please refer to identification number HP – 20220804-01 in any future correspondence with Habematolel Pomo of Upper Lake concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

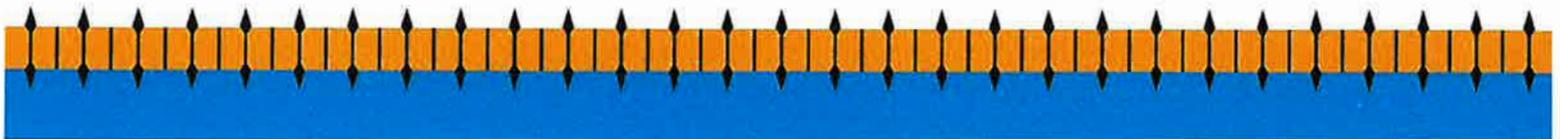
Sincerely,

A handwritten signature in black ink that reads "Robert Geary".

Robert Geary
Cultural Resources Director/Tribal Historic Preservation Officer

HABEMATOLEL POMO OF UPPER LAKE

P: 707.900.6923 F: 707.275.0757 P.O. Box 516 Upper Lake, CA 95485



Eric Porter

From: Michael Rivera <mlrivera@middletownrancheria.com>
Sent: Thursday, January 26, 2023 6:22 PM
To: Eric Porter
Subject: [EXTERNAL] Re: Email 2 of 2 - Joel Michaely cannabis project

Hey Eric -

Thank you for sending me this. Yes, Middletown Rancheria would like to request consultation. This is one of our Village Sites. Can you please set up a time and date to conduct a site visit with the applicant?

Respectfully,

Michael Rivera Jr.

Middletown Rancheria

Tribal Historic Preservation Department

PO Box 1035 Middletown, CA 95461

Office: (707) 987-1315

Cell: (707) 802-8893

Fax: (707) 987-9091

Email: mlrivera@middletownrancheria.com

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On Thu, Jan 26, 2023 at 12:35 PM Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Here is the 2nd email with the Arch Study, original AB52 notice, and NWIC's comments.

Thanks,

Eric

Mitigation Measures

Due to the possibility of unearthing tribal cultural resources which include, but is not limited to, Native American human remains, funerary objects, items or artifacts, sites, features, places, landscapes or objects with cultural values to the Middletown Rancheria ("Tribe"), during ground disturbance activities, the following mitigation measures shall be incorporated into the Project for preservation or mitigation of significant impacts to tribal cultural resources.

MM TCR-1: Prior to initial ground disturbance, the applicant shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.

MM TCR-2: Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punch lists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.

MM TCR-3: The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.

MM TCR-4: All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.

MM TCR-5: The Project applicant must meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, collection, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.



YOCHA DEHE
CULTURAL RESOURCES

August 8, 2022

Lake County
Attn: Mary Claybon, Assistant Planner
255 N. Forbes St.
Lakeport, CA 95453

RE: 11450 Spruce Grove Rd Lower Lake Cannabis Project YD-07292022-01

Dear Ms. Claybon:

Thank you for your project notification letter dated, July 29, 2022, regarding cultural information on or near the proposed 11450 Spruce Grove Rd Lower Lake Cannabis Project. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is not within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we respectfully decline any comment on this project. However, based on the information provided, please defer correspondence to the following:

Middletown Rancheria
Attn: Michael Riviera
PO Box 1035
Middletown, CA 95461

Please refer to identification number YD - 07292022-01 in any future correspondence with Yocha Dehe Wintun Nation concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Laverne Bill". The signature is fluid and cursive, with a long horizontal stroke at the end.

Laverne Bill
Director of Cultural Resources

cc: Middletown Rancheria